

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
:  
SERIOUS USA, INC.; SERIOUS IP, INC.;  
and DXPDD, LLC, :  
:  
Plaintiffs, :  
:  
v. : Civil Action No. 08-CV-4808 (GBD) (AJP)  
:  
CD DIGITAL CARD; CD WORKS; **DECLARATION OF KARINE LOUIS**  
DISCMAKERS; IMX SOLUTIONS, INC; **IN SUPPORT OF APPLICATION FOR**  
INFINITE MARKETING INC; INGRAM **DEFAULT JUDGMENT**  
MICRO INC; L&M OPTICAL DISC, LLC; :  
MICROVISION DEVELOPMENT, INC.; :  
ONEDISC.COM, INC.; and SONARUS :  
CORPORATION, :  
:  
Defendants. :  
:  
-----X

I, KARINE LOUIS hereby declare:

1. I am an associate at Dreier LLP, attorneys for Plaintiffs Serious USA, Inc.; Serious IP, Inc.; and DXPDD, LLC (“Plaintiffs”). I submit this Declaration in Support of Plaintiffs’ Application for Entry of a Default Judgment against Sonarus Corporation (“Sonarus”) (“Plaintiffs’ Application”).

2. I am a member of the Bar of this Court and I am familiar with all the facts and circumstances in this action.

3. The action was commenced on May 22, 2008 and is an action for a judgment of infringement by Sonarus of Plaintiffs’ patents and for a calculation of damages based on Defendant’s sale and manufacture of certain products.

4. Plaintiffs attempted to personally serve Sonarus at the address listed on its corporate website on May 29, 2008. *See* Exhibits A and B. The Process Server was unable to effect service at that address. *See* Exhibit B.

5. Plaintiffs thereafter attempted to personally serve Sonarus at the address of a company called Freedom Disk as I was informed that Sonarus and Freedom Disk had merged. The service was attempted on June 6, 2008. *See* Exhibit C.

6. As indicated on the affidavit of service, the service was accepted but the person refused to give his name. *See* Exhibit C.

7. I thereafter located, from the website of the Secretary of State for Pennsylvania, another listing for Sonarus with a different address. *See* Exhibit D.

8. The process server again attempted to personally serve Sonarus but instead found another company, Tennis Roofing, at that address. *See* Exhibit E.

9. All of the papers were thereafter mailed to both the address on Sonarus' website as well as the address located for Freedom Disk on June 12, 2008. The affidavit of service was filed on June 12, 2008. *See* Docket Item no. 14.

10. Sonarus' answer was due on July 2, 2008.

11. Sonarus has failed to respond to service by mail or to any of Plaintiffs' attempted personal service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 23, 2008.

/s/Karine Louis

Karine Louis

373019



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[info@sonarus.com](mailto:info@sonarus.com)

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**PROOF OF SERVICE**

|   |   |   |
|---|---|---|
| <b>CASE:</b>  | <u>SERIOUS USA INC.</u> et. al. plaintiff(s)  | File No. <u>08-CIV-4808</u>   |
|   | vs.   |   |
|   | <u>CD DIGITAL CARD</u> et. al. defendant(s)   |   |
| <b>SERVICE OF PROCESS ON:</b>   | <u>SONADIS CORPORATION</u><br>(NAME OF ENTITY TO BE SERVED)   |   |
| <b>NAME OF SERVER:</b>  | <u>RICHARD AMANTI</u> , undersigned, being duly sworn, deposes and say that he was at the time of service, over the age of twenty-one, was not a party to this action;  |   |
| <b>DATE OF SERVICE:</b>   | that on the _____ day of _____, 19____, at _____ o'clock ____ M   |   |
| <b>PLACE OF SERVICE:</b>  | at _____ in the city of _____ state of _____  |   |
| <b>DOCUMENTS SERVED:</b>  | the undersigned served the annexed papers, _____<br>(LIST OF ALL DOCUMENTS SERVED)  |   |
| <b>PERSON SERVED AND METHOD OF SERVICE:</b>   | <p>A true and correct copy of the aforesaid papers were served on the above-named party or witness in the following manner:</p> <p><input type="checkbox"/> By personally delivering them into the hands of the person to be served. _____</p> <p>*<input checked="" type="checkbox"/> (Substitute) By leaving a copy at his/her usual place of abode with some person of suitable age and discretion then residing therein, to wit: _____</p> <p><input type="checkbox"/> By delivering them to an officer or managing agent whose name and title is: _____</p> <p>Other _____</p> |   |
|   | * California law requires 3 attempts before substitute service can be made  |   |
| <b>DESCRIPTION OF PERSON RECEIVING DOCUMENTS:</b>   | <p>The person receiving documents is described as follows:</p> <p>Sex _____; Skin Color _____; Hair Color _____; Facial Hair _____</p> <p>Age (prox.) _____; Height (prox.) _____; Weight (prox.) _____</p> <p><input type="checkbox"/> To the best of my knowledge and belief, said person was not engaged in the U.S. Military at the time of service.</p>  |   |
| <b>PROOF OF DUE &amp; DILIGENT ATTEMPT:</b>   | <p><input checked="" type="checkbox"/> AFTER DUE AND DILIGENT EFFORTS, UNDERSIGNED WAS UNABLE TO EFFECT SERVICE</p> <p><input type="checkbox"/> FACTS INDICATING DEFENDENT IS AVOIDING SERVICE ARE <u>They are out of business</u><br/><u>UNKNOWN</u></p>   |   |
|   | * California law requires 3 attempts before substitute service can be made  |   |
|   | <p><b>* DATES OF SERVICE</b></p> <p>ATTEMPTED <u>5/29/08</u></p>  | <p><b>TIMES</b></p> <p>ATTEMPTED <u>3:29</u> o'clock <u>P</u> M</p>                 |
|   | <p>_____ o'clock ____ M</p> <p>_____ o'clock ____ M</p>   | <p><b>ADDRESS</b></p> <p>ATTEMPTED <u>597 Washington Pike Bismarck ND 58101</u></p> |
|   |   | <p><b>REASON FOR NON SERVICE</b></p> <p><u>UNKNOWN</u></p>                          |
| <b>SIGNATURE OF SERVER:</b>   | <p>Undersigned declares under penalty of perjury that the foregoing is true and correct.</p> <p><u>[Signature]</u> <u>5/29/08</u><br/>Name of server (date)</p>   |   |
| <p>Notarization</p> <p><input type="checkbox"/> Required</p> <p><input type="checkbox"/> Not Required</p> | <p>Subscribed &amp; sworn to before me this <u>29</u> day of <u>MAY</u> <u>2008</u></p> <p><u>[Signature]</u><br/>Notary Public Comm. Exp. _____<br/>(SEAL)</p>   |   |

CLSS - NationWide Service Center (NWSC)  
2522 Lower Mason Creek Road  
Bandera, TX 78003

COMMUNITY DEVELOPMENT  
Notary Public  
Robert M. [Signature]  
Notary Public, State of Texas  
My Comm. Expires 12/31/2011  
Bismarck, ND 58101

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Serious USA, Inc., Serious IP, Inc.  
and DXPDD, LLC

SUMMONS IN A CIVIL ACTION

V.

CD Digital Card, et al.  
(Please see the attached addendum)

CASE NUMBER:

08 CIV 48087

TO: (Name and address of Defendant)

CD Digital Card  
11150 White Birch Drive  
Rancho Cucamonga, California 91730

(Please see the attached addendum)

SONARUS CORPORATION

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Seth H. Ostrow, Esq.  
Dreier LLP  
499 Park Avenue  
New York, New York 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

CLERK

MAY 22 2008

DATE

(By) DEPUTY CLERK

**SUMMONS IN A CIVIL ACTION ADDENDUM**

**PLAINTIFFS:**

Serious USA, Inc., Serious IP, Inc. and DXPDD, LLC

**DEFENDANTS:**

CD Digital Card; CD Works; Disc Makers; IMX Solutions, Inc.;  
Infinite Marketing Inc.; Ingram Micro Inc.; L&M Optical Disc, LLC;  
Microvision Development, Inc.; Onedisc.Com, Inc.; Sonarus Corporation

**DEFENDANTS' ADDRESSES:**

CD Digital Card  
11150 White Birch Drive  
Rancho Cucamonga, California 91730

CD Works  
1266 Soldiers Field Road  
Boston, Massachusetts 02135

Disc Makers  
16 West 18th Street  
New York, New York 10011

IMX Solutions, Inc.  
210 E. Third Street, Suite 202  
Royal Oak, Michigan 48067

Infinite Marketing Inc.  
3475 Lenox Road, Suite 400  
Atlanta, Georgia 30326

Ingram Micro Inc.  
1759 Wehrle Drive  
Williamsville, New York 14221

L&M Optical Disc, LLC  
303 Louisiana Ave  
Brooklyn, New York 11207

Microvision Development, Inc.  
5541 Fermi Ct., Suite 120  
Carlsbad, California 92008

Onedisc.Com, Inc.  
4668 Murray Avenue  
St. Paul, Minnesota, 55110-3425

Sonarus Corporation  
1597 Washington Pike, Suite B14-265  
Bridgeville, Pennsylvania 15017



## PROOF OF SERVICE

| <b>CASE:</b>   | <u>SERIOUS USA INC</u>   | et. al. plaintiff(s) | File No. <u>08 CIV 4808</u> |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
|--|--|----------------------|-----------------------------|------------------------------|-----------------|-------------------|------------------------|-------|-----------------------|-------|-------|-------|-----------------------|-------|-------|-------|-----------------------|-------|-------|
|  | <u>CD DIGITAL CARD</u>   | vs.                  | et. al. defendant(s)        |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| <b>SERVICE OF PROCESS ON:</b> <u>SERIOUS CORPORATION C/O Freedom Disk</u><br>(NAME OF ENTITY TO BE SERVED) |  |                      |                             |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| <b>NAME OF SERVER:</b>   | <u>RICHARD FIMENT</u> , undersigned, being duly sworn, deposes and say that he was at the time of service, over the age of twenty-one, was not a party to this action:   |                      |                             |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| <b>DATE OF SERVICE:</b>  | that on the <u>6</u> day of <u>JUNE</u> 19 <u>2008</u> at <u>3</u> : <u>54</u> o'clock <u>P</u> M  |                      |                             |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| <b>PLACE OF SERVICE:</b>   | at <u>5 VERTICAL DRIVE</u> in the city of <u>CANONSBURG</u> state of <u>PA</u>   |                      |                             |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| <b>DOCUMENTS SERVED:</b>   | the undersigned served the annexed papers, <u>See ATTACHED SHEET</u><br>(LIST OF ALL DOCUMENTS SERVED)   |                      |                             |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| <b>PERSON SERVED AND METHOD OF SERVICE:</b>  | <p>A true and correct copy of the aforesaid papers were served on the above-named party or witness in the following manner:</p> <p><input type="checkbox"/> By personally delivering them into the hands of the person to be served.</p> <p>*<input checked="" type="checkbox"/> (Substitute) By leaving a copy at his/her usual place of abode with some person of suitable age and discretion then residing therein, to wit: _____</p> <p><input checked="" type="checkbox"/> By delivering them to an officer or managing agent whose name and title is: <u>John Doe / UNKNOWN</u></p> <p>Other _____</p> |                      |                             |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| <small>* California law requires 3 attempts before substitute service can be made</small>                  |  |                      |                             |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| <b>DESCRIPTION OF PERSON RECEIVING DOCUMENTS:</b>  | <p>The person receiving documents is described as follows:</p> <p>Sex <u>MALE</u> : Skin Color <u>White</u> : Hair Color <u>Black</u> : Facial Hair <u>no</u></p> <p>Age (prox.) <u>52</u> : Height (prox.) <u>5'9"</u> : Weight (prox.) <u>270</u></p> <p><input type="checkbox"/> To the best of my knowledge and belief, said person was not engaged in the U.S. Military at the time of service.</p>   |                      |                             |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| <b>PROOF OF DUE &amp; DILIGENT ATTEMPT:</b>  | <p><input type="checkbox"/> AFTER DUE AND DILIGENT EFFORTS, UNDERSIGNED WAS UNABLE TO EFFECT SERVICE</p> <p><input type="checkbox"/> FACTS INDICATING DEFENDENT IS AVOIDING SERVICE ARE _____</p>  |                      |                             |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| <small>* California law requires 3 attempts before substitute service can be made</small>                  | <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:25%;">* DATES OF SERVICE ATTEMPTED</th> <th style="width:25%;">TIMES ATTEMPTED</th> <th style="width:25%;">ADDRESS ATTEMPTED</th> <th style="width:25%;">REASON FOR NON SERVICE</th> </tr> </thead> <tbody> <tr> <td>_____</td> <td>_____ o'clock _____ M</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____ o'clock _____ M</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>_____</td> <td>_____ o'clock _____ M</td> <td>_____</td> <td>_____</td> </tr> </tbody> </table>           |                      |                             | * DATES OF SERVICE ATTEMPTED | TIMES ATTEMPTED | ADDRESS ATTEMPTED | REASON FOR NON SERVICE | _____ | _____ o'clock _____ M | _____ | _____ | _____ | _____ o'clock _____ M | _____ | _____ | _____ | _____ o'clock _____ M | _____ | _____ |
| * DATES OF SERVICE ATTEMPTED   | TIMES ATTEMPTED  | ADDRESS ATTEMPTED    | REASON FOR NON SERVICE      |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| _____  | _____ o'clock _____ M  | _____                | _____                       |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| _____  | _____ o'clock _____ M  | _____                | _____                       |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| _____  | _____ o'clock _____ M  | _____                | _____                       |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| <b>SIGNATURE OF SERVER:</b>  | <p>Undersigned declares under penalty of perjury that the foregoing is true and correct.</p> <p style="text-align: center;"><u>[Signature]</u> <u>6/10/08</u><br/>Name of server (date)</p> <p style="text-align: right;">Subscribed &amp; sworn to before me this <u>10</u> day of <u>JUNE</u> 19 <u>2008</u></p> <p style="text-align: right;"><u>[Signature]</u><br/>Notary Public Comm. Exp. _____<br/>(SEAL)</p>  |                      |                             |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |
| Notarization<br><input type="checkbox"/> Required<br><input type="checkbox"/> Not Required                 |  |                      |                             |                              |                 |                   |                        |       |                       |       |       |       |                       |       |       |       |                       |       |       |

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Bandera, TX 78003

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Robert M. Kresson, Notary Public  
Robinson Twp., Allegheny County  
My Commission Expires Feb. 17, 2011  
Member, Pennsylvania Association of Notaries

Documents to be Served

CIVIL ACTION SUMMONS; CIVIL COVER SHEET; COMPLAINT FOR PATENT INFRINGEMENT; EXHIBIT(S) A THRU "I"; RULE 7.1 STATEMENT; INDIVIDUAL PRACTICES OF JUDGE SIDNEY H. STEIN; CONSENT TO PROCEED BEFORE UNITED STATES MAGISTRATE JUDGE; CRITICAL INSTRUCTIONS TO ATTORNEYS; GUIDELINES FOR ELECTRONIC CASE FILING; PROCEDURES FOR ELECTRONIC CASE FILING; INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK; CONSENT TO PROCEED BEFORE UNITED STATES MAGISTRATE JUDGE; ORDER OF REFERENCE TO A MAGISTRATE JUDGE; FAX TRANSMITTAL SHEET; ORDER; INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Serious USA, Inc., Serious IP, Inc.  
and DXPDD, LLC

SUMMONS IN A CIVIL ACTION

V.

CD Digital Card, et al.  
(Please see the attached addendum)

CASE NUMBER:

08 CIV 4808

TO: (Name and address of Defendant)

CD Digital Card  
11150 White Birch Drive  
Rancho Cucamonga, California 91730

(Please see the attached addendum)

SONARUS CORPORATION DBA  
FREEDOM DISK

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Seth H. Ostrow, Esq.  
Dreier LLP  
499 Park Avenue  
New York, New York 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

MAY 22 2008

J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK

**SUMMONS IN A CIVIL ACTION ADDENDUM**

**PLAINTIFFS:**

---

Serious USA, Inc., Serious IP, Inc. and DXPD, LLC

**DEFENDANTS:**

CD Digital Card; CD Works; Disc Makers; IMX Solutions, Inc.;  
Infinite Marketing Inc.; Ingram Micro Inc.; L&M Optical Disc, LLC;  
Microvision Development, Inc.; Onedisc.Com, Inc.; Sonarus Corporation

**DEFENDANTS' ADDRESSES:**

CD Digital Card  
11150 White Birch Drive  
Rancho Cucamonga, California 91730

CD Works  
1266 Soldiers Field Road  
Boston, Massachusetts 02135

Disc Makers  
16 West 18th Street  
New York, New York 10011

IMX Solutions, Inc.  
210 E. Third Street, Suite 202  
Royal Oak, Michigan 48067

Infinite Marketing Inc.  
3475 Lenox Road, Suite 400  
Atlanta, Georgia 30326

Ingram Micro Inc.  
1759 Wehrle Drive  
Williamsville, New York 14221

L&M Optical Disc, LLC  
303 Louisiana Ave  
Brooklyn, New York 11207

Microvision Development, Inc.  
5541 Fermi Ct., Suite 120  
Carlsbad, California 92008

---

Onedisc.Com, Inc.  
4668 Murray Avenue  
St. Paul, Minnesota, 55110-3425

Sonarus Corporation  
1597 Washington Pike, Suite B14-265  
Bridgeville, Pennsylvania 15017



PENNSYLVANIA  
**Department of State**

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### Business Entity Filing History

**Date:** 6/9/2008 (Select the link above to  
view the Business Entity's  
Filing History)

#### Business Name History

| Name                | Name Type    |
|---------------------|--------------|
| SONARUS CORPORATION | Current Name |

#### Business Corporation - Domestic - Information

|                                  |   |
|----------------------------------|---|
| <b>Entity Number:</b>            | 3331464   |
| <b>Status:</b>                   | Active  |
| <b>Entity Creation Date:</b>     | 8/30/2005   |
| <b>State of Business.:</b>       | PA  |
| <b>Principal Office Address:</b> | 821 MORGANZA RD<br>BLDG C<br>HENDERSONVILLE PA 15339- |
| <b>Mailing Address:</b>          | No Address  |

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# PROOF OF SERVICE

|  |   |   |  |
|--|---|---|--|
| <b>CASE:</b>   | <u>SERIOUS USA INC</u>  | et. al. plaintiff(s)  | File No. <u>08CV4808</u>   |
|  | <u>CD DIGITAL CARD</u>  | vs.   | et. al. defendant(s)   |
| <b>SERVICE OF PROCESS ON:</b> <u>Serious Corp</u><br>(NAME OF ENTITY TO BE SERVED)         |   |   |  |
| <b>NAME OF SERVER:</b>   | <u>RICHARD AMANT</u> , undersigned, being duly sworn, deposes and says that he was at the time of service, over the age of twenty-one, was not a party to this action:  |   |  |
| <b>DATE OF SERVICE:</b>  | that on the _____ day of _____ 19____, at _____ o'clock ____ M  |   |  |
| <b>PLACE OF SERVICE:</b>   | at <u>921 MORGAN RD</u> in the city of <u>HENDERSONVILLE</u> state of <u>GA</u>   |   |  |
| <b>DOCUMENTS SERVED:</b>   | the undersigned served the annexed papers, <u>Bldg C.</u><br>(LIST OF ALL DOCUMENTS SERVED)   |   |  |
| <b>PERSON SERVED AND METHOD OF SERVICE:</b>  | A true and correct copy of the aforesaid papers were served on the above-named party or witness in the following manner:<br><input type="checkbox"/> By personally delivering them into the hands of the person to be served.<br><input checked="" type="checkbox"/> (Substitute) By leaving a copy at his/her usual place of abode with some person of suitable age and discretion then residing therein, to wit: _____<br><input type="checkbox"/> By delivering them to an officer or managing agent whose name and title is: _____<br>Other _____ |   |  |
| <b>DESCRIPTION OF PERSON RECEIVING DOCUMENTS:</b>  | The person receiving documents is described as follows:<br>Sex _____; Skin Color _____; Hair Color _____; Facial Hair _____<br>Age (prox.) _____; Height (prox.) _____; Weight (prox.) _____<br><input type="checkbox"/> To the best of my knowledge and belief, said person was not engaged in the U.S. Military at the time of service.   |   |  |
| <b>PROOF OF DUE &amp; DILIGENT ATTEMPT:</b>  | <input checked="" type="checkbox"/> AFTER DUE AND DILIGENT EFFORTS, UNDERSIGNED WAS UNABLE TO EFFECT SERVICE<br><input type="checkbox"/> FACTS INDICATING DEFENDENT IS AVOIDING SERVICE ARE <u>THIS GOES BACK TO PENNIE'S ROUTING</u>   |   |  |
|  | <b>* DATES OF SERVICE</b><br>ATTEMPTED<br><u>7/10/08</u>  | <b>TIMES</b><br>ATTEMPTED<br><u>4:37</u> o'clock <u>P</u> M<br>_____ o'clock ____ M<br>_____ o'clock ____ M | <b>ADDRESS</b><br>ATTEMPTED<br><u>921 Morgan Rd Bldg C</u><br><u>HENDERSONVILLE GA</u> |
|  |   |   | <b>REASON FOR NON SERVICE</b><br><u>MOVED UNKNOWN</u>                                  |
| <b>SIGNATURE OF SERVER:</b>  | Undersigned declares under penalty of perjury that the foregoing is true and correct.<br><u>[Signature]</u> <u>6/11/08</u><br>Name of server (date)   |   |  |
|  | Subscribed & sworn to before me this <u>11</u> day of <u>June</u> , <u>2008</u><br><u>[Signature]</u><br>Notary Public Comm. Exp. _____<br>(SEAL)   |   |  |
| Notarization<br><input type="checkbox"/> Required<br><input type="checkbox"/> Not Required |   |   |  |

CLSS - NationWide Service Center (NWSC)  
 2522 Lower Mason Creek Road  
 Bandera, TX 78003

COMMONWEALTH OF PENNSYLVANIA  
 Notarial Seal  
 Robert M. Kresson, Notary Public  
 Robinson Twp., Allegheny County  
 My Commission Expires Feb. 17, 2011  
 Member, Pennsylvania Association of Notaries

SAO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Serious USA, Inc., Serious IP, Inc.  
and DXPPD, LLC

SUMMONS IN A CIVIL ACTION

V.

CD Digital Card, et al.  
(Please see the attached addendum)

CASE NUMBER:

'08 CIV 4808

TO: (Name and address of Defendant)

CD Digital Card  
11150 White Birch Drive  
Rancho Cucamonga, California 91730

SONARUS CORPORATION

(Please see the attached addendum)

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Seth H. Ostrow, Esq.  
Dreier LLP  
499 Park Avenue  
New York, New York 10022

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

MAY 22 2008

J. MICHAEL McMAHON

CLERK

DATE

(By) DEPUTY CLERK



**SUMMONS IN A CIVIL ACTION ADDENDUM**

**PLAINTIFFS:**

Serious USA, Inc., Serious IP, Inc. and DXPDD, LLC

**DEFENDANTS:**

CD Digital Card; CD Works; Disc Makers; IMX Solutions, Inc.;  
Infinite Marketing Inc.; Ingram Micro Inc.; L&M Optical Disc, LLC;  
Microvision Development, Inc.; Onedisc.Com, Inc.; Sonarus Corporation

**DEFENDANTS' ADDRESSES:**

CD Digital Card  
11150 White Birch Drive  
Rancho Cucamonga, California 91730

CD Works  
1266 Soldiers Field Road  
Boston, Massachusetts 02135

Disc Makers  
16 West 18th Street  
New York, New York 10011

IMX Solutions, Inc.  
210 E. Third Street, Suite 202  
Royal Oak, Michigan 48067

Infinite Marketing Inc.  
3475 Lenox Road, Suite 400  
Atlanta, Georgia 30326

Ingram Micro Inc.  
1759 Wehrle Drive  
Williamsville, New York 14221

L&M Optical Disc, LLC  
303 Louisiana Ave  
Brooklyn, New York 11207

Microvision Development, Inc.  
5541 Fermi Ct., Suite 120  
Carlsbad, California 92008

Onedisc.Com, Inc.  
4668 Murray Avenue  
St. Paul, Minnesota, 55110-3425

Sonarus Corporation  
1597 Washington Pike, Suite B14-265  
Bridgeville, Pennsylvania 15017